army from New Mexico, and to dissolve the on, has not served to strengthen the cords of affection which should have bound us together.

But neither the President nor any other person will charge the North with disloyalty to the Union. But that portion of the sentence just quoted, which refers to the "attempts to disturb its compromises," was intended to refer to those

political friends with whom I act. Sir, those compromises left us entirely free from the support of slavery. By the passage of this fugitive law, those compromises have been dis-turbed, and the people of the North involved in the degradation and guilt of sustaining slavery and, sir, in the language of the President, "they are ready to rebuke" those who have thus disturbed the compromises-and they will rebuke them. Our people, too, will resist by every constitutional means the execution of that law.

This practice of attempting to sanctify every enermity in legislation by referring to the " Unio of our fathers. has become very common among a certain class of politicans; but I did not expect to meet with it in the Message of the President. It does not comport with the dignity of such a paper. It is almost as much out of place as it would be to appeal to the loyalty which our fa thers anciently bore to the British crown. The Union of our fathers was adopted as the best means of preserving the liberties, and promo-ting the happiness of the people. It was abandoned for the same purpose. Even our Union with Texas was framed for that avowed object. A majority of Congress thought and believed that it would increase the wealth and the happiness of the people. For the same purpose we waged a war with Mexico, and conquered another vast territory, and brought another State into the Union. The Union now existing will be retained so long as the great mass of the people shall regard it as conducive to their interests and happi ness. Yet, whenever they shall be convinced that it subserves the cause of oppression, that it has become an instrument for degrading themselves, another revolution will take place, and they will lay it aside, as our fathers did their union England. They feel as the patriots of that day felt, that "whenever any form of Governmen shall fail to sustain the self-evident truth that all men were created equal, and are entitled to the enjoy-ment of life and liberty," it is the right of the people to lay it aside, and to "adopt a new form of Government, basing its action upon such princi-ples as shall best promote their interests and hap-

But this cry of "danger to the Union" is becoming understood by the people. "To save the Union," we annexed Texas; "to save the Union," we paid her ten millions of dollars; "to save the n." fifty thousand square miles of territory which had been consecrated to freedom by Mex ico, and conquered by our arms, were delivered over to Texus and to slavery; "to save the Union," the people of the free States have been compelled to become slave-catchers; and we are now told that, "to save the Union," this infamous law must be kept in force; "to save the Union," no wast drive the famishing, weary, fugitive from our doors, or seize him and send him back to his prison house of bondage. Sir. it has come to this: the cry of "danger to the Union" is now resorted to for the purpose of justifying every outrage upon the people of the North, which the Slave Power demands. Under this cry, meetings are called in your commercial cities, and resolutions adopted to "suppress agitation among the people," And the Secretary of State, and distinguished Senators. write letters" to save the Union." Dinners are eaten. and wine drunk, and speeches made, "to save the Union." For the same purpose, the Secretary of State votes against the candidate of his own party, and a distinguished Senator from a Western State threatens to leave the Whigs, with whon he has acted from early life.
Sir, this clause of the Message has reference to

that new party which is already in process of for-mation, and which is to be based upon the doctrines of this Message—upon the policy of con-tinuing in force this Fugitive Law—the laws that sustain the slave trade upon our Southern coast, and in this District—and of opposing all efforts to exclude slavery from our Territories and from the District of Columbia. In short, sir, this new party is to oppose all attempts to separate the pecple of the free States and this Government from the support of that institution.

I, sir, rejoice at the prospect of seeing every public man, and every elector of the nation, take his position either for Freedom or for Slavery. The President has come out boldly and manfully on the side of oppression, in favor of compelling the people of the North to become the catchers of Southern slaves. He calls on his friends to take neition with him. They will do so. We shall soon have but two political parties. One will contend for the emancipation of the free States and this Government from the control of the Slave Power; to restore vitality to the Constitution; to give that instrument effect; to maintain the rights of all the States under it; to secure all men under our exclusive jurisdiction in the enjoyment of life, liberty, and happiness. With Mr. Morris, and those who assisted in framing the Constitution, that party "never will concur in upholding domestic slavery." With Mr. Gerry, "while they have see no more propriety in seizing and surrender fugitive slave than a horse."

With these framers of the Constitution the party of Freedom will stand. These principles they will maintain and carry out; they will separate and purify themselves from the sin and the shame of Slavery ; they will redeem this Government from its support; they will leave it within the States where it exists. The judgment and conscience of the people are with us; they know our doctrines to be correct. The popular heart beats for freedom. Party prejudices are giving way. Truth is doing its legitimate work A great cal revolution is going forward. No partisan influence can stay its progress. The history of the lest few months and years must bear to every reflecting mind a consciousness that the principles of justice, of righteousness, of huma ty, must triumph. The moral sentiment of the nation demands the repeal of those acts of Congress which authorize and enjoin the commission of crimes. They will be repealed, and the Government will be redeemed from its present position; and its laws and influence will be exerted for the benefit, for the elevation of man.

# WILLIAM L. CHAPLIN.

THE END OF THE CHAPLIN CASE.-Mr. Chaplin was, on Thursday, liberated from the jail of Montgomery county, \$19,000 bail having been his appearance at Howard District court. Bail to the amount of \$6,000 had been given in this District. He passed through Baltimore on Thursday on his return home. - Republic

UNITED STATES SENATOR FROM FLORIDA.—The House of Representatives agreed, a few days ago, to go into an election for United States Senator Mr. YULEE, whose term expires on the 4th of March next; but the State Senate, on the 9th instant, refused to meet in joint Assembly for that purpose, by a vote of 14 to 5. The Democrats have a majority in both Houses of one, making two on joint ballot; but it seems there is little unanimity among them.

# SOUTH CAROLINA.

The Legislature of South Carolina, after a great deal of difficulty, has at last adopted the bill for the election of Delegates to a Southern of Detail-among them, the following: Congress, to be held in Montgomery, Alabama, January 2, 1852. The National Intelligencer says.

"According to our understanding of the act, however, the other States assenting to the Congress may appoint another time and place of meeting. The Governor of South Carolina is directed communicate a copy of the act to the authorities of each of the other slaveholding States, and urge upon them, in such manner as he may deem best, to send duly commissioned Delegates to the said Congress. South Carolina is to have eighteen Delegates, four of whom are to be elected by the gressional district, on the second Monday in October next. These Delegates are to be duly commissioned by the Governor, and to meet in Con gress such Delegates as may be appointed by other slaveholding States, and join them in devising such measures as in their opinion may be adequate to obtain the objects proposed by the Nashville Convention, and in reporting such measures to the slaveholding States as, when agreed to and fully confirmed by them, or any of them, will effectually provide for the same? that is to say, in the words of the Nashville Convention, with the view and intention of arresting further aggressions, and, if possible, of restoring the constitutional rights of the South; and, if not, to recommend some provision for their future safety and

independence. The State Convention is ordered to assemble at Columbia, for the purpose, in the first place, of taking into consideration the proceedings and recendations of the Congress of the slaveholding States, if the same shall meet and be held, and for the further purpose of taking into consideration the general welfare of the State of South Carolina, in view of her relations to the Laws and Government of the United States, and to take care that she 'shall suffer no detriment.' The Delegates composing this Convention are to cor-respond in number with the whole of the Memthe people on the second Monday in February the second Monday in February the people on the second Monday in F

Convention. It is made the duty of the Governor | Washington press has raised such an out period before the next session of the Legislature, the conjuncture of a Southern Congress, con-templated in the purpose of this act, shall have happened? But, if the Convention be not so assembled by the Governor, then the next Legislature is to fix the time of meeting.

## THE NATIONAL ERA.

WASHINGTON, DECEMBER 26, 1850.

#### OUR EXCHANGES.

With this number we begin the task of cutting own our exchange list, an operation forced upon us by its excess. Of course, we shall not feel jus-

#### MRS. SOUTHWORTH'S STORY.

Much to our regret, Mrs. Southworth, after the issue of our last number, was seized with a sudden and painful affliction of the eyes, which has totally disqualified her for completing in this mber the last chapter of her story. This event throws its termination into our next volume, which we regret the more, as, without this explanation, some might infer that it was our design to force those interested in reading it to renew their subscriptions.

To accommoda e subscribers, who do not intend to renew, but would like to see the copulusion of the story, we shall try to supply them, (if they will signify to us their desire, post paid,) by ending to them without charge the number that shall contain the last chapter. This we shall do, not because we like the idea of losing any subscribers, but because we cannot bear that any one should suspect us of trickery.

## "MY SUMMER WITH DR. SINGLETARY."

By the Author of Margaret Smith's Diary. This is the title of a series that will run through ten or fifteen numbers of the Era, beginby a favorite author.

In addition to this, we have on hand a series of sketches by Martha Russell, and another by the duty of her State's attorneys to interpose in Mary Irving, with which we are sure our readers | behalf of the person arrested, manifests a proper will be greatly delighted.

#### A STORY OF THE MEXICAN WAR

By Grace Geographical, will gracethe next number of our paper. We can commend it to all our readers, without exce tion, even to the friend in New Hampshire, who lately objected so strenuously to Fiction. He will find in this story a good deal more truth than fiction.

MRS. H. B. STOWE has something on our first page this week, for Christmas. She is always thrice welcome to our columns.

#### INDEX.

The index which we publish on our 4th page has been prepared with great care. It is as ample and accurate as could be desired.

#### RENEWALS.

Our friends have been renewing admirably but some still linger. Let them remember that this is the last number of the volume, and make haste, bringing as many new ones with them as they can. We cannot refrain from again expressing our pleasure at the cordial responses of our readers to our circulars.

# THE LAW OF VERMONT PROVIDING FOR THE

We published in our last number, without comment, a law passed by the Legislature of Vermont, at its late session, providing for the more effectual enjoyment of the writ of habeas cornus. It has been stigmatized by our cotemporaries of the Press in Washington, as an act of nullification. Southern journals comment upon it indignantly, assuming that its design is to violate the nothing to do with it in the States, they will lend provision of the Federal Constitution in relation no sanction to it." With Mr. Sherman, they "can to fugitives from service or labor; and many provision of the Federal Constitution in relation Northern Whig and Democratic papers either denounce it or speak contemptuously of its au-

The Pro-Slavery Party is always clamorous, We look in vain to the columns of its presses, or speeches of its leaders, for candor of exposition, exactitude of statement or closeness of argument. It is easy to brand any action adverse to the pretensi ns of Slavery, as unconstitutional, disorganizing, nullifying. No man, however estimable his character or public services, if he venture to challenge its claims, or speak freely of its evils, can expect to escape denunciation. No act, however sound in principle, or peremptorily required for the preservation of vital interests, if it be unfavorable to its growth or extension, is suf- sage. fered to pass without an attempt to make it appear an offence against the Constitution and the Union, as if Slavery were the model Institution of the country, and all things were to be regarded as good or evil, just as they favored or discouraged its interests.

We have looked at the Vermont act again and again; the terrible clamor got up against it making us fearful lest there might be some nullification in it: but we confess our inability to see much more in it than a firm, discreet attempt on the part of a Sovereign State to secure to all its inhabitants the benefits of the habeas corpus-a writ which the Federal Constitution declares shall not be suspended. The language of the Constitution is as follows:

The writ of habeas corpus shall not be sus nended, unless when, in case of rebellion or in-

sion, the public safety may require it." It is worthy of remark, that many of the most important guaranties of rights contained in the Constitution were suggested in the Convention of 1787, by members from the South, who were constantly seeking to provide safeguards against the abuses of power. The provision against the suspension of the writ of habeas corpus was of Southern origin. August 20, in Convention, Mr. Pinckrecommendation of the Nashville Convention, in new of South Carolina submitted a series of propregard to a Southern Congress. It has passed a ositions, which were referred to the Committee

> "The privilege and benefit of the writ of habeas corpus shall be enjoyed in this Government, in the most expeditious and ample manner, and shall not be suspended by the Legislature, except upon the most urgent and pressing occasions, and for a limited time, not exceeding - months."

August 28th, the report of the Committee was rendered, and Mr. Pinckney," urging the propriety of securing the benefit of the habeas corpus in the most ample manner, moved, that it should not be suspended but on the most urgent occasions, Legislature, and two by the votes of each Con- and then only for a limited time, not exceeding

"Mr. Rutledge of South Carolina was for declaring the habeas corpus inviolate. He did not conceive that a suspension could ever be necessary, at the same time, through all the States.

Mr Gonverneur Marris of Pennsylvania moved that the privilege of the writ of habras corpus shall not be suspended, unless when, in cases of the right to prescribe the process by which the rebellion or invasion, the public safety may re-

"Mr. Wilson of Pennsylvania doubted whether in any case a suspension could be necessary, as the discretion now exists with judges, in most important cases, to keep in gaol or admit to bail. "The first part of Mr. Gouverneur Morris's

motion, to the word 'unless,' was agreed to nem,

On the remaining part-New Hampshire, Massachusetts, Connecticut, Pennsylvania, Delaware, Maryland, Virginia, ayes-7; North Carolina, South Carolina, Georgia, navs-3." The three extreme Southern States, it will be bserved, opposed any qualification at all, fearful

of intrusting Congress with rower to suspend the writ in any contingency.

of the State to call it together whenever, at any to secure, in the language of Mr. Pinckney of not be unconstitutional. If it be repugnant in this respect to the Fugitive act of the last session of Congress, the inference is, not that the Legislature of Vermont is guilty of nullification, but that Congress is the nullifier. If that act violate the privilege of the writ of hobeas corpus, it is, so far, null and void, and the Vermont law, it prescribes the process of trying Fugitive cases, which provides for the effectual execution of the writ, is valid, because constitutional. If the act the law is constitutional. Here, as in other cases do not violate the habeas corpus, then the Vermont law, so far as it secures the privilege, is the side of State Sovereignty. We believe it bepublished our Prospectus, and called attention not repugnant thereto. In the former case, the longs to the States and not to Congress, to deteroutery should be directed against the act of Congress : in the latter, there is no ground for any clamor at all. That our readers may fully understand the at least one Slaveholding State; we mean Ken-

law of Vermont, we shall again publish it, interposing such comments as may seem necessary :

It is hereby enacted by the General Assembly of the

ate of Vermont, as follows: Sec. 1. The same power is hereby given to, and the same duties imposed upon, the circuit judges of the several judicial circuits of this State, which Habeas Corpus.

Sec. 2. It shall be the duty of State's attorneys, within their respective counties, whenever any inhabitant of this State is arrested or claimed as a fugitive slave, on being informed thereof, diligently and faithfully to use all lawful means to protect, defend, and procure to be discharged, every such person so arrested or claimed as a fugitive slave."

The second section presumes that every inhabitant of Vermont is a free person. This is the presumption of law in relation to every inhabitant of a free State-inasmuch as its Fundamental Law prohibits slavery. Now, the first duty of a State is to protect its inhabitants. If a person in Vermont be arrested as a slave, the presumption ning with the first number of the new volume. is against his claimant, and on him rests the onus Everybody who read Margard Smith's Diary in of proving the person seized to be a slave. If ever our paper, will be eager to read this new volume a case demanded the "most expeditious and ample" enjoyment of the privilege of the habeas corpus, it is such a case-and Vermont, in making it regard for the liberties of her citizens, and no disregard of the constitutional rights of her sister

> "Sec. 3. The application of any State's attorney in writing to any one or the judges of the Su-preme Court, or to any circuit judge, signed by said State's attorney in his official capacity, stating in substance the name of the prisoner and the persons detaining him, if known, and that the person arrested, claimed, or imprisoned, is arrested, claimed, or imprisoned as a fugitive slave, shall be sufficient authority to authorize the issuing of the writ of habeas corpus, as provided in said chapter thirty eight of the Revised Statutes, and said writ may be signed by any one of said judges, or the clerk of the supreme or county court; and said writ shall be made returnable to the supreme or county court, when in session, in the county where such application is made; and in vacation said writ may be made returnable forthwith, before either of the judges aforesaid.

"Sec. 4 It shall be the duty of all judicial and executive officers in this State, in their respective counties, who shall know or have good reason to believe that any inhabitant of this State is about be arrested or claimed as a fugitive slave, forthwith to give notice thereof to the State's attorney of the county in which such person resides."

"The 3d section defines the ground on which the writ shall be issued, the tribunals that shall issue it, and the tribunals before which it shall be returnable; and the 4th section manifests the same regard for the liberties of the People as the second. The following sections provide for the right of appeal and of trial by jury :

granted in vacation, as provided in this act, or as provided by existing laws, if upon the hearing of the same before any one of the judges aforesaid, the person imprisoned, arrested, or claimed as a fugitive slave, shall not be discharged, such per-son shall be entitled to an appeal to the next stated term of the county court in the county where such bearing was had, on furnishing such bail, and within such time, as the judge granting the writ, on hearing the case, shall adjudge to be reasonable and proper.
"Sec. 6. The court to which such appeal is taken,

and any other court to which a writ of habeas corpus in b half of any such person claimed or arrested as a fugitive slave, is made returnable. may and shall, on application of either party to such proceeding, allow and direct a trial by jury, on all questions of fact in issue between parties, in the matter aforesaid, and the taxable costs of such trial shall be chargeable to the State, whenever the same would be otherwise chargeable to the person arrested or claimed as a fugitive

Sec. 7. The several circuit judges shall have the same power now invested in the judges of the Supreme Court, by virtue of an act in amendment f chapter one hundred and three of the Revised Stautes, relating to persons confined in close just, on executions of tort, approved November 13

Sec. 8. This act shall take effect from its pas-Approved: November 13, 1850,"

No attempt is here made to nullify the clause f the Constitution in relation to fugitives from service or labor; the obligation imposed by it is not denied, but impliedly affirmed, inasmuch as the law provides for fulfilling it.

Two questions here arise: Has a State the right to prescribe the process, to determine the mode, by which the constitutional provision respecting fugitives shall be carried out within her boundaries? and if she has, does she violate this provision by prescribing trial by jury in all cases arising under it? Let us answer the last question first. The sec-

tions quoted do not discharge a fugitive slave from service or labor, but secure to inhabitants of Vermont, claimed as fugitives, the right of trial by jury. The question to be tried is a question of fact. The claimant declares that the person arrested was held to service or labor, under the laws of another State, from which he escaped into Vermont. The person arrested denies this, and asserts that he never was held to service under the laws of another State: or, if he was, that he never scaped from it into Vermont. A jury of twelve men in Vermont who should take oath to render a verdict in accordance with the facts, it is not to be supposed, would perjure itself. A State must judge for itself what process is best adapted to such cases, most in harmony with its own institutions; and there is nothing in the language of the consti tutional provision relating to fugitives, from which it can be inferred that claims arising under it may not properly be tried by jury. If this mode of trial in such cases be unconstitutional, or a violation of the rights of slave-owners, then Mr. Webster, now enjoying so much of their confidence, was guilty, a few months since, when he introduced his bill providing that claims for fugitives should be tried by jury, of proposing a violation of the Constitution and of the rights of slaveholders. What he proposed that Congress should do, the Legislature of Vermont has done. If there be anything unconstitutional about the act, it is not therefore in the form of trial provided, but in the assumption of the State to provide any mode at all for trying such cases. This brings us to the first question-has a State constitutional provision respecting fugitives from

It has always seemed to us that this provision was in the nature of a treaty stipulation between the States, and not of a grant of power to Congress. Certainly no power is conferred, in terms, or by fair implication, upon Congress, to pass laws in execution of the clause. Whatever obligation is imposed, is imposed directly upon the States, and the plain reading of the clause would lead any fair mind, not familiar with the action of Congress, or the decisions of the Supreme Court, to infer, that upon the States was devolved the duty of providing process for carrying out the stipulation therein contained. This was the opinion of Chief Justice Shaw of Massa-

service shall be carried out within its borders?

case; and we presume they still entertain the merce, conferred by these provisions, was comsame opinion though acquiescent in that decision. plete-for coordinate jurisdiction between the it best at any time to hold one, they will undoubt-South Carolina, the "most ample and expeditious Vermont, as a Sovereign State, bound to interuse of the haheas corpus"—a privilege which the pret for herelf her duties under the Constitu-Southern members of the Convention of 1787 tion, declines such acquiescence, and assumes that would have defeated the purposes of the grant it belongs to her to make necessary and suitable made to Congress. But, to guard against all misand so far as the law embraces this object, it can- provision for the execution, within her limits, of conception, section tenth of the first article posithe clause reserved to. The whole question of the tively prohibited the States from exercising any constitutionality of this part of her law resolves power over commerce, except such as was necesitself, therefore, into this: Has Congress the power sary to the execution of their inspection laws: to legislate to give effect to the Fugitive clause, or does this power belong to the States? If the for- gress, lay any imposts or duties on imports or exmer has the power, the law of Vermont, so far as is unconstitutional; if the latter have the power, of an apparent conflict of jurisdictions, we lean to

> It is constantly insisted that the provisions of the Constitution, respecting the surrender of fugitives from justice and fugitives from labor, are couched in similar terms. Congress has assumed to legislate to give both provisions effect, and certainly, it has a right to legislate in one case, it has in the other. But the Legislature of Kentucky, so far as respects the extradition of persons claimed as fugitives from justice, has claimed and exercised the right to prescribe the mode of carrying out the provision, and even to prevent its being

mine the mode by which the stipulation in regard

to fugitives from labor should be fulfilled; and in

fulfilled in certain cases. We call attention to this law, because, if it be onstitutional, that of Vermont is constitutional; and if the law of Vermont is nullification, that

of Kentucky is nullification. We intended to publish this law, but not being able to lay our hands upon it just now, we must wait till next week ]

## "NON-INTERCOURSE.

House of Commons, December 10, 1850. The Stavery Question.

Mr. Saunders of Wake, on leave, from the joint elect committee on the subject of slavery, presented the following preamble and resolutions as

report from the majority of said committee:

Whereas the people of North Carolina have ever cherished a lively and cordial attachment to the Union of the States, and entertain the mos sincere desire for its preservation; and whilst, in the opinion of this General Assembly, the slaveholding States have suffered great wrong by some of the measures enacted at the last session of Congress called the compromise acts, yet, as these measures have become a discontinuous acts, it is in the congress called the compromise acts, yet, as these measures have become and the state of the congress called the compromise acts, yet, as these measures have become and the state of the congress called the compromise acts, yet, as these measures have become and the state of the congress called the compromise acts, yet, as these measures have become a congress called the compromise acts. the duty of the South to acquiesce so long as they shall be adhered to and enforced in good faith, and so long as Congress shall abstain from the adoption of any other measure touching the in-stitution of slavery calculated either to endanger its security or to destroy the guarantees of the Constitution: Be it therefore

1. Resoived, That the Fugitive Slave act passed by Congress at its last session is in strict confor-mity with the provisions and requirements of the Constitution of the United States, and, if carried into execution in good faith, is calculated to give security to slave property; and any failure on the part of 'he Federal Executive to enforce, or any attempt on the part of the judicial authorities of the free States to obstruct its execution, would not only constitute just cause of complaint on the part of the South, but would be such a gross dereliction of duty as could not fail to weaken those ites which bind together the States of the

2. Resolved, That the abolition of slavery the District of Columbia-the interdiction of the slave trade between the States-the refusal to admit any new State into the Uunion because of its recognition of the institution of slavery-the total repeal of the Fugitive Slave act, or its modification so as essentially to impair its force and efficiency-would, in the opinion of this General Assembly, amount to such a clear, deliberate, and of the State of North Carolina, to break down palpable breach of good faith and flagrant abuse of power as to demand of the Freemen of North justify them in uniting with the other slavehold. ing States to uphold and maintain their just and

3. Resolved, That whenever all or any one of the acts mentioned in the foregoing resolutions shall have been passed by the Congress of the United States, the Governor of this State be, and he is hereby, requested to convene the General Assembly at such time as in his wisdom shall seem fit, in order to take into consideration the solemn duties which we owe to ourselves as Freemen. and of our then existing relations with the Federal Government.

And whereas it would be both proper and expedient to restrict all trading intercourse with the non-slaveholding States so long as there shall exist a well-grounded apprehension either as to the repeal of the Fugitive Slave act or its non-execution, and as there now exist just grounds for such apprehension : Be it therefore Resolved, That is expedient to impose an advalorem tax upon all articles of merchandise of the

growth, manufacture, or product of non-slavehold-ing States, which shall be brought into and be offered for sale within this State, from and after the first day of August next: Provided, however, the Governor shall be authorized and required, by and with the advice of the Council of State, to suspend the execution of such law until the meeting of the next General Assembly, if it shall satisfactorily appear that the Fugitive Slave act hath been faithfully executed.

The foregoing resolutions, on motion of Saunders, were ordered to be printed, and refered to the Committee of the Whole House, and made

the order of the day for Monday next." We suppose this is to be regarded as another effort to produce "Peace and Harmony." The resolutions of course do not truly represent the sentiments of the great majority of the People of North Carolina, but, so long as they suffer designing politicians to represent them, they must

be held responsible. This doctrine of Non-Intercourse has become quite fashionable of late in some of the slaveholding States, and their citizens talk of resorting to it, just as confidently as if the most unrestricted trade were not vital to the interests of the South. The policy is presented in two forms. Mr. Saunders, it will be observed, proposes to establish a system of imposts directly upon articles, the growth or produce of the non-slaveholding States. imported into North Carolina. Others propose that every merchant, pedler, factor, and trader, in the State, shall pay a tax of ten per cent. ad valorem on all goods in his possession, unless he shall state on oath that they are in part the growth or manufacture of a slave State; and that if within three years from the passage of such an act, all the slaveholding States shall not have passed a similar law, then the exemption from tax be held to extend to the productions of those States

only which have adopted similar laws. We are bound, of course, to believe that our slaveholding friends understand the Constitution. They have studied the resolutions of '98, and since then have enjoyed the benefits of Baltimore, Nashville, and Milledgeville platforms. With great deference, we venture to suggest, that perhaps the policy of Non-Intercourse is neither constitutional nor expedient.

If we are not mistaken, one of the radical defects of the Articles of Confederation was, the absence of power in Congress to regulate commerce with Foreign Nations or among the States. Each State framed such commercial regulations as it chose, not unfrequently oppressing the commerce of a sister State, by discriminating duties upon its imports; and hence sprang up a retaliatory system of duties, injurious to the interests of all. One object of the Convention of 1787 was, to procure a transfer of the power over commerce

from the States separately to the United States, and this object was accomplished when the Convention agreed to the following clause of section eight of the Constitution, containing a full grant of power to Congress: The Congress shall have power to lay and collect tares, duties, imposts, and excess, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, im-

posts, and excises, shall be uniform throughout the United States." Also clause third of the same section, which onfers on Congress the power-

"To regulate commerce with Foreign Nations and among the several States, and with the Indian tribes."

"No State shall, without the consent of Conports, except what may be absolutely necessary for executing its inspection laws; and the nett produce of all duties and imposts laid by any State on imports or exports shall be for the us of the Treasury of the United States; and all such laws shall be subject to the revision of Con-Mr. Saunders's resolution proposes to lay an

mpost tax upon articles brought into the State of North Carolina from the non-slaveholding States. The proposition is directly repugnant to each of this belief we are confirmed by the legislation of the three clauses we have quoted from the Con-The first declares, that "all duties, imposts, and excises, shall be uniform throughout the cessful. United States;" and, according to the decision

of the Supreme Court in the case of the Passenger Tax of New York and Massachusetts, rendered March, 1849, " the constitutional uniformity here enjoined is as real and obligatory upon the States, in the absence of all legislation by Congress, as if the uniformity had been made by the regulation of Con-

The proposition of Mr. Saunders is to violate this constitutional uniformity, by discriminating taxes against the productions of the non-slaveholding States. The second clause confers upon Congress the

power " to regulate commerce with Foreign Naions, and among the Several States, and with the Indian tribes." Mr. Saunders' proposition claims for the North Carolina Legislature the power to regulate commerce between that State and the other States. A claim for the Legislature of power to regulate the commerce of that State with Great Britain, by laying prohibitory duties upon its imports, would be just as constitutional and decent

The third clause prohibits a State from laying mposts or duties on imports or exports, except what may be absolutely necessary for the execution of its inspection laws. Mr. Saunders' proposition is to lay duties on the imports of the nonslaveholding States, for the purpose of inflicting slaveholding States, for the purpose of inflicting in no respect essential to the success of a party punishment upon them for the balancery moveents of some of their citizens. We repeat, that were it not for our profound

egest for the judgment of gentlemen who have studied the resolutions of '98 and the platforms of Baltimore, Nashville, and Milledgeville, we should be tempted to pronounce the proposition of Mr. Saunders and all similar propositions, ome from what quarter they may, grossly unnstitutional in intent, as, if adopted, they would be impotent in effect. It is worthy of remark, that the editor of the Union, who cannot get over his indignation at the law of Vermont for securing the benefit of the habeas corpus to all her inhabitants, deeming it a most atrocious act of nullifica-

tion, has not yet uttered a note of dissent from

any of the flagrantly unconstitutional schemes just noticed. As to the project of taxing the goods of merchants and traders 10 per cent. ad valorem, unless they shall state on oath that they are in part the growth or manufacture of a slave State, it is almost too trifling for serious comment. Carry it into effect, if indeed this be possible, and the people of North Carolina will be the principal sufferers. Restrictions on commerce are apt to react with fatal force upon the interests of those who impose them. How it would promote the welfare brethren in other States, perhaps the disciples of Mr. Calhoun may explain-for we take it for

mpossibility.

But, suppose a law to carry into effect this project be passed, and suppose the pedlers, and merchants and traders, unable to evade its provisions, and suppose the people should be so tame as to submit to such oppressive taxation, cuibono? what would be gained by it? It is not the classes of wholesale merchants and manufacturers and pedlers in the non-slaveholding States who agitate the question of slavery. They might suffer somewhat from the suicidal taxes of North Carolina, and feel patriotically indignant at the antislavery people for occasioning any interference with their craft. But, how could they help themselves? It is not in the power of gold to exorcise the good spirit. The merchants and manufacturers and pedlers, so far from converting anti-slavery men from their "fanatical" ways, would soon begin to feel quite fanatical themselves, and learn to hate an institution that, like a blind Cyclops

dealt its insane blows alike at friends and focs. Another consequence of such a policy would re sult sooner or later. The actual slaveholders in North Carolina constitute but a small proportion of the entire white population. So, it might come to pass, that as the non-slaveholders saw their trade decreasing, and themselves burdened with a kind of war tax in time of peace, they might begin to inquire whether a system in which they had no direct interest, had any right to make such exactions of them, and compel them to pay the cost of its vengeance against other States. Such inquiries could lead to but one conclusion-that slavery was costing them a great deal more than it came to.

# WHERE'S THE TRICK ?

"The National Era charged us with perpe trating a 'trick' upon the public, when we asserted that there had been a caucus of the Abolition Members of the House to consult about an attack on the Fugitive law. We depied the soft impeachment,' and promised, if the members would deny the statement, we would make the amendhonorable for our mistake. We have not received a word to contradict it. The National Era reappeared yesterday, but not a word on the subjecwas in its columns. We take it for granted, then that we were right in our statements, and w might have hoped, from the magnanimity even of an Abolition paper, that it would have withdrawn its charge."—Washington Union. We beg pardon of the Union for having over-

looked the matter it refers to. As it feels aggrieved by our imputation, and seems to be fully persuaded of the truth of its statement, we shall withdraw it, it being quite unnecessary to mingle personalities with cur political differences. Now, as to the statement of the Union that

there was a Free Soil Caucus, we repeat, it is an entire mistake. We denied it before, on the authority of a written declaration of a leading Free Soil Member of the House, which we published at the time. Since then, we have inquired of Mr. Preston King, Mr. Wilmot, and Mr. Giddings, and they positively assert that no such caucus has been held, to their knowledge.

We can guess at the information on which the Union made its statement; but if we are not mistaken in this reference, its informant is totally in error. One evening, by mere chance, while a Democratic member of Free Soil principles was sitting with Mr. Preston King, Mr. Giddings and Mr. Allen, who board together, and are in the habit of walking out with each other, made a friendly call on Mr. King. The conversation naturally turned upon the Fugitive Law and other topics of difference between the North and South; and two of the gentlemen present, differing on some point of policy, maintained their respective views with some earnestness. This conversation was probably overheard, and communicated to the editor of the Union, as a discussion in a Free Soil Caucus!

If the whole matter were not so unimportant the Free Soil members would have no objection to denying over their own names, the statement of the Union. We deny it, on their authority.

It is really too unimportant a thing to talk

THE WESTERN CITIZEN .- The Western Citizen announces that, at the end of its present half volume, it will be published entirely on the Cash Principle. This is right. If every newspaper in the country would adopt the same policy, it would be the gainer. It is just as easy for subscribers to pay at the beginning as at the end of the year-and then they escape the annoyance of being dunned, and the publisher the injury of bad debts. How can it be expected that a newspaper with thousands of little debts of two, three, or five dollars, scattered all over the country, can collect them except at a wasteful deduction for commis ions, if, indeed, they can be collected at all?

We hope the Western Citizen will adhere unfalteringly to its purpose. We would rather publish a cash paper with five thousand, than a credit paper with fifteen thousand subscribers. The Cuizen has an established reputation, as a sound and an able anti-slavery journal, and we trust its friends will see to it that its experiment be suc-

THE NEW YORK EVENING POST announced on the 16th of the last month that it had entered on its fiftieth year. A more thorough, consistent high-toned, able, and sagacious Democratic journal we have never known. It is always in advance of its party, never subservient to party dictation, and has more of the attributes of a real reform journal, than any party newspaper with which we are acquainted. We rarely read it without instruction, never without pleasure. We rejoice at the facts stated in the following paragraph from its anniversary article:

"The circulation of the Evening Post was never as large since its foundation as it is now, nor was it ever as large, by two or three thousand, as it has been during the past year. Neither has the net income of our establishment ever been so great as during the year which closed on the 15th inst., except once, some ten or twelve years since, when we shared in the advertising of the General Government. We mention these facts with the more pride and satisfaction, as the entire patronage of the Federal, State, and city Governments has been in the hands of our political opponents for more than two years past—so that no part of our recent prosperity can be attributed to mere partisan interest. This is a feature in the history of journalism, which should have its effect in restoring and promoting the independence of the party press, and establishes nothing more clearly than that the official rewards of partisanship are

#### THE GOVERNOR OF VIRGINIA - GOVERNORS Mannana.

There seems, of late, to have been quite an uprising in the tribe of Governors. They have grown fond of notoriety, and appear to think it their first duty to make a "fuss" generally. Governor Smith, Governor Towns, Governor Quitman, are all extraordinary geniuses in this line. But lo! a greater than all has started up in the shape of Governor Floyd, of Virginia. The following message from this Governor is the most precious sample of gubernatorial wisdom we have yet seen:

MESSAGE FROM THE GOVERNOR. EXECUTIVE DEPARTMENT, Richmond, Dec. 16, 1850.

To the General Assembly of the State of Virginia: GENTLEMEN: I herewith transmit to you a preamble and resolutions passed by the Convention of Indiana, assembled to revise the Constitution of that State, and the report and resolutions of a like Convention of the State of Maryland. The spirit in which they are conceived must be regarded as a favorable omen, and they excite the hope that the feelings of bitterness and dissension which pervade the Confederacy may yet pass harmlessly away. There are, indeed, portentous manifestations of deep discontent at the South; some of her merchants, and make the people pay more for articles of consumption than their the course recently pursued in Vermont. The slature of that State has virtually. by statute. annulled the law of Congress for the recapture of fugitive slaves, which alone induced the Southern States to acquiesce in the late Compromise granted that their metaphysics are equal to any measures. Vermont has thus inflicted upon the whole South at once an injury and an insult. To either can we with honor or self-respect submit.

There must be a distinct, immediate, and final settlement of the question of slavery between the slaveholding and the non-slaveholding States. If the present agitation is continued, the Union will inevitably be destroyed. If this element of discord be removed, no cause of fend remains to jeopard the permanence of our Confederation. No norable means should be left untried to restore and perpetuate tranquillity. For this we should exhaust every measure of conciliation and forbearance. We can scarcely pay too much for the restoration of that fraternal harmony which is the life-blood of our federate organization, and which alone can for any length of time preserve the Union. In discharge of the duty which the South owes to herself and her citizens, she must mainain, at all hazards, and at any cost, her honor her equality, her independence, and her essential In proof of her devotion to the Union

she must be prepared to sacrifice all else to her sense of patriotism.

The late action of Vermont demands an instant settlement of the issue which has so long distracted the country. The recent action of Indiana seems to indicate that the time is propitious for its amicable decision. For the restoration of complete and effectual harmony, I would suggest a measure in which the patriots of all sections, and all who reverence and are willing to abide by the Constitution, may cooperate. I would recommend the adoption by the Legis-lature of resolutions inviting al the States of the

Union to unite in sending delegates to represent the whole people in a general Convention, which ought to assemble at an early period-not later than May-at Baltimore, or some other convenient central point, for the purpose of bringing to an end all sectional controversies relative to slavery. To secure that end, the principles which should govern the action of the Convention ought to be announced in the resolutions by which it is called. All should be invited to unite in this povement who are in favor of the perpetuation of the Union, and who, to attain this result, are in favor of the fugitive slave bill, honestly and cordially enforced—who are opposed to its repeal r essential modification, and who are adverse to any further agitation of the slavery question, either in Congress or in the States. With this the South will be content—less than this can only eventuate in the dissolution of the Union. Such action of such a Convention, if successful and fully sustained by the non-slaveholding States, would satisfy and quiet the South; if unsuccessful, could prove that the friends of order and the Union are impotent to control the fanatical passions which are now urging on a speedy dissolu-tion. It is a measure which addresses itself to no particular party, and refers to no political organi zation, but asks the cordial support of every true patriot in all sections of our widely-extended Re-public, and which alone seems adequate to redress or avert the terrible evils under which the country

To render this measure effectual, and to relieve the deliberations of the convention from the trammels by which it might otherwise be embarrassed, I would further recommend that such res-olutions be accompanied with the sincere and earnest appeal of the State of Virginia, speaking through her Legislature to her sister States of the South, entreating them to postpone any extreme action in relation to present difficulties, until the result of the deliberations of such a convention ould be known. The restrictive measures which the Legislature may adopt might be made depen-dant for their continuation upon the ultimate action of this convention.

me, the Union might be preserved and perpetuated in fraternal harmony, or the South enabled to present a united and unbroken front to the as saults of fanatical adversaries. The first must be the sanguine hope of all lovers of freedom and their country; the last must be the sole refuge of Southern independence, only when all brighter hopes are proved by this last effort to be fatile and vain. The motto of the South must be, as it has been, Union, if we can-independence, if we

I have the honor to be, very respectfully, your JOHN B. FLOTD. obedient servant,

[The message and accompanying documents were referred to a select committee, which the Speaker will announce hereafter. On motion of Mr. Martz, 5 000 extra copies of the message were ordered to be printed |

The Governor should at once apply to the Commissioner of Patents for this novel invention for establishing "Peace and H-1-r-mony." In some of the State Constitutions, Virtue, Intelligence, and Religion, are declared to be essential stitution, no one would doubt that the power of Congress over external and inter-State com-

their Governors, they would soon be bankrupt in everything.

## CITY ORDINANCE.

thirty-first, eighteen hundred and twenty-w

An act supplementary to and amendatory of an art

supplementary to "An act concerning free ne-groes, mulattoes, and slaves," approved May the

Be it enacted by the Board of Aldermen and Board

of Common Council of the city of Washington, That rom and after the passage of this act every free nefrom and after the passage of this act every free ne-gro or mulatto, whether male or female, who may come within the city of Washington, or who may be manumitted, or be made or declared to be free in any other manner or form whatsoever in said in any other manner or form whatsoever in said city, shall, within five days thereafter, exhibit to the Mayor satisfactory evidence of his or her title to freedom, to be recorded by the Register, as di-rected by the second section of the act entitled "An act concerning free negroes, mulattoes, and slaves," approved May the thirty-first, eighteen hundred and twenty-seven, and shall enter into bond to the Mayor, Board of Aldermen, and Board of Common Council, of the city of Washington, with one good and sufficient white free-hold surety; which said surety shall, before exe-cuting said bond, exhibit satisfactory evidence to some police magistrate of this Corporation of his ufficiency in the premises, and which said bond shall also be approved by the Mayor, in the pen-alty of fifty dollars, conditioned for his or her good and orderly conduct, and a like bond and security for each and every member of his or her family, to be executed in the same manner, conditioned for the good and orderly conduct of the person named therein, that he or she does not become chargeable to or commit any offence against this Corporation, or against the laws of the United States: Provided, Such free negro or mulaito child or ward be between the ages of twelve and twenty-one years; but such children or wards shall, upon becoming twelve years of age, be subject to all the provisions of this act; which bonds shall be renewed every year, on the tenth day of December, and on the failure to comply with each and every provision of this section, he, she, or they, so failing shall forfelt and pay a sum not exceeding twenty dollars, and he, she, or they, and also the persons for whom such failure shall

occur, being minors, shall be ordered by the Mayor to depart forthwith from the city; and on

failure to do so shall be committed to the work-house, and be employed, at the discretion of the

Mayor, until such conditions shall be complied

with, not exceeding six months in any one com-

Sec. 2 And he it enacted. That any free per

or persons of color, who may be imprisoned under the provisions of this act, may be discharged from such imprisonment by order of the Mayor, upon his or her being able to satisfy the Mayor that he or she will, with his or her family and dependants, forthwith depart from this city; but if he or she shall fail to depart, or departing shall re-Wilda . Jelve months thereafter, he or she shall be again committed, as if no such discharge had taken place: Provided, That nothing in this sectien shell be so, extrued as in release the child of children of sien person or persons of color who may have been bound out to servitude by the Commissioners of the Assylum under existing laws, until the expiration of their term of service. Sec. 3. And be it enacted, That from and after the passage of this act every free negro or mu-latto, whether male or female, shall, within five days after their arrival in this city, and on the tenth day of December thereafter, annually, record his or her name, and the name or names o every member of his or her family, on the books of this Corporation, and at the same time pay into the treasury of said Corporation, for bimself, her-self, and each and every member of his or her

self, and each and every member of his or her family so registered, the sum of fifty dollars, upon which registration and payment of the sum aforesaid the Mayor is hereby authorized and directed to grant a permit of residence to such registered free negro or mulatto, which shall entitle him or her to a residence within said Corporation; and on failure to comply with each and every provision of this section, he, she, or they, so failing, shall forfeit and pay to this Corporation a sum not less than ten dollars, nor exceeding twenty dollars, and shall be ordered by the Mayor to depart forthwith from this city; and failing to depart forthwith from this city; and failing to depart therefrom, shall be subject to the conditions and penalties prescribed in the first section of this act: Provided, Nothing in this act contained shall be so construed as to apply to or affect the condition of any free negro or mulatto who may come into the city in the service of any transient person or member of Congress while in such emp or who may have been sent to the city h his or her employer on temporary business. Sec. 4. And he it enacted, That all and every sec

tion and provision of the act entitled "An act concerning free negroes, mulattees, and slaves," approved May the thirty-first, eighteen hundred and twenty-seven, and of the act supplementary thereto, approved October the twenty-ninth, eighteen hundred and thirty-six, as well as of any and all previous or subsequent act or acts relating to the same subject, and not heretofore repealed and except such as apply to free negroes and mu-lattoes now residing in this city, and having acquired rights under said act or acts, so far as they conflict with the provisions of this act, be and the

same are hereby repealed. SILAS H. HILL. President of the Board of Common Council B. B. FRENCH,
President of the Board of Aldermen Approved, December 7, 1850. WALTER LENOX. Mayor.

We feel bound to express our strong disapprobation of this new law of the Corporation. It is uncalled for. The pretence that Virginia is about to expel her free colored population is false South Carolina has rejected an inhuman move ment of this kind : Virginia is not less civilized than South Carolina. Besides, the increase of the free people of color here since 1840 is by no means "alarming," as some of our misguided citizens imagine; for the per cent, increase is much

less than that of the white population. It is unwise. At this time, when the questi of slavery is so warmly agitated between North and South, our City Fathers would have done well to let legislation on kindred subjects alone. It can make no friends for the city: it will make

It is wrong in principle. The free colored pro-

ple are in the country. No man with brains to comprehend an argument, or a heart alive with human sympathics, proposes to expel these people from our shores, though there are those who would hold out inducements to their voluntary emigration. While they are in the country, justice to them ; justice from one State to another from one district to another; Humanity; the best interests of society, demand that they should have entire freedom of locomotion-in other words, be left free to pursue happiness and better their condition wherever they please. Suppose the policy of the Ordinance above quoted be adopted by every State in the Union-and every State has a right to adopt it, if this District has then, the free colored population becomes stationary-slaves to the soil. Enterprise, the spirit of emigration, the desire of improving their condition, are extinguished. We condemn the political regulations of the Old World, which have attempted to restrict the Jewish people within certain limits The police laws of one country imposing fetters upon free intercourse with another, we pronounce arbitrary and impolitic. And what could we expect of any white population, compelled to remain stationary forever within a limited area, with diminished means of subsistence, and no privilege of

We must treat human beings as fellow beingsdoing unto them as we would they should do unto us. This is justice, and sound policy because it is justice. While God reigns, Oppression and Injustice must react against their perpetrators.

We are perfectly aware of the undesirableness of such a population as the police regulations of other States may impose upon us, but there must be some other way of remedying the evil than by the practice of a similar wrong. For ourselves we entertain the same abhorrence for tyrannical police regulations in this country that we do for them in Europe. We hold that it is just as wrong to restrain the freedom of motion of native colored men, as of foreigners.

Besides these general considerations, a proper regard of one State for another forbids these oppressive regulations concerning colored people Virginia violates her fraternal relations to other States when she seeks to throw her free colored population upon them, and provokes them to couneractive or retaliatory legislation, so that she gain nothing in the end, but has instigated a general system of State police, dishonorable to the huanity of all the States, and injurious to their interests, by degrading and vitiating a large class